

## INTERIM RULEMAKING NOTICE FORM

Proposed Interim Rule Number	Rule Number	Env-Ws 415
1. Agency Name & Address:  Department of Environmental Services Water Division 29 Hazen Drive P.O. Box 95 Concord, NH 03302-0095	2. RSA Authority: <u>RSA 485-A:6, VIII; RSA 485-A:17, I</u> 3. Federal Authority: _____ 4. Type of Action: Adoption _____ Amendment _____ Repeal _____ Readoption <u>X</u> Readoption w/amendment _____	
5. Filing Date: September 24, 2004		

6. Short Title: Site Specific Rules

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: Gretchen Hamel	Title: Administrator, Legal Unit
Address: Department of Environmental Services	Phone #: 603-271-3137
29 Hazen Drive	Fax#: 603-271-8805
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Concord, NH 03302-0095	

TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Summary explaining the effect of the rule:

The rules establish the requirements and procedures for obtaining permits under RSA 485-A:17 for activities which alter terrain and/or existing run-off conditions. They also specify the details of acceptable temporary and permanent stormwater management and erosion and sediment control during earth-disturbing activities for which a permit is required. Examples of such projects include dredging, earth moving, excavating, timber harvesting operations, and mining. Env-Ws 415 is being adopted as an interim rule in order to minimize the time between expiration of the existing rule and adoption of a new set of regular rules, as specifically authorized by RSA 541-A:19, I(d). The existing rules expire on October 1, 2004.

9. Listing of people, enterprises, and government agencies affected by the rule:

These rules impact any person, enterprise, or government agency wishing to undertake a project that requires a permit under RSA 485-A:17 relative to significant alteration of terrain.

10. Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement. RSA 485-A:17

11. Summary of the effect upon the state if the rule were not adopted:

If the rules are not adopted, the public will not have guidance on what information must be submitted in order to obtain a permit under RSA 485-A:17. Also, questions could arise regarding the duration of any permit issued under RSA 485-A:17.

12. Proposed date of review by the Joint Legislative Committee on Administrative Rules: October 14, 2004

13. The fiscal impact statement prepared by the Legislative Budget Assistant  
FIS # 04:185, dated 9/17/04. See attached.

